

REMARKS/ARGUMENTS

Prior to entry of the present Amendment, claims 1-18 were pending in the application. In the present Amendment, claims 1, 3, 10 and 12 are amended, and new claims 19-20 are added. No new matter is added.

Examiner's Interview

Applicant appreciates the Examiner's time and consideration during the Interview held on April 1, 2009. During the Interview, Applicant's representative and Examiner Charles discussed proposed amended claims 1 and 3 and new proposed claim 20 and the cited prior art (PCT Patent Application Publication No. WO 00/46081 ("Rachui")). The Examiner suggested language which has been incorporated into independent claim 1. While the Examiner indicated such claim language appears to overcome the prior art, agreement was not reached on the claims.

Allowable Claim

Applicant gratefully acknowledges the Examiner's indication that claim 12 includes allowable subject matter. Allowable dependent claim 12 is amended into independent form to include the subject matter of the base claim and the intervening claim. Accordingly, newly-independent claim 12 is allowable.

Rejections under 35 U.S.C. §112

The Examiner rejected claim 10 under 35 U.S.C. §112, second paragraph, as being indefinite for the reason set forth in paragraph 2 of the Office action. During the Interview, the Examiner agreed that amended claim 10 overcomes the rejection under 35 U.S.C. §112, second paragraph.

Prior Art Rejections

The Examiner rejected claims 1-10 and 13-17 under 35 U.S.C. §102(b) as being anticipated by Rachui. The Examiner rejected claims 11 and 18 under 35 U.S.C. §103 as being unpatentable over Rachui. Applicant respectfully requests reconsideration of the rejections.

Independent Claim 1

As suggested by the Examiner, independent claim 1 has been amended to define a wiper bearing for a windshield wiper system comprising a bearing housing (12) provided with an outer tube forming the bearing housing (12) and an inner tube (24) arranged and connected in a concentric manner in relation thereto, the inner tube (24) extending through the bearing housing (12) and for mounting a bearing shaft, and a journal (30) arranged on a bearing area (14) on the bearing housing (12) for receiving a tubular plate (40) characterized in that an annular element (16), which is arranged in a coaxial manner on the journal (30), is provided outside the journal (30) in the region of the front side thereof (36).

Rachui discloses a tubular plate, especially in a windshield wiper system for automobiles, including a plate tube (12), having a hollow profile with a bearing (15), especially a plastic bearing, on at least one of its free ends (13, 14) for receiving a wiper shaft. The bearing (15) is injection-molded on the at least one free end (13) of the plate tube (12). The plate tube (12) is closed by a sealing plug (22) on the at least one free end, the plug preventing the penetration of injection molding material and supporting the plate tube (12) from the inside to withstand injection pressure.

As discussed during the Interview, Rachui does not teach or suggest, among other things a wiper bearing including a bearing housing provided with an outer tube forming the bearing housing and an inner tube arranged and connected in a concentric manner in relation thereto. Rather, as shown in Figs. 2-3, Rachui discloses a bearing (15) formed as a single tube. Rachui also does not teach or suggest the inner tube extending through the bearing housing and for mounting a bearing shaft. Again, there is only a single tube in the bearing (15) of Rachui.

For at least these independent reasons, Rachui does not teach or suggest the subject matter defined by independent claim 1. Accordingly, independent claim 1 is allowable.

Dependent claims 2-11 and 13-20 depend from allowable independent claim 1 and are allowable for at least the same and other independent reasons. In addition, the additional subject matter of the dependent claims, such as, for example, dependent claims 3 and 19-20, provide separate bases for allowance.

As discussed during the Interview, dependent claim 3 specifies that the annular element (16) is fastened with braces (18, 20) on the bearing housing (12), via which the journal (30) is accessible from the outside at least in a connecting area (32) through a side wall of the bearing

area (14). In Rachui, the bearing (15) is injection-molded on the at least one free end (13) of the plate tube (12), and the plate tube (12) is not accessible from the outside through a side wall of the bearing (15). Accordingly, claim 3 defines additional patentable subject matter.

As suggested by the Examiner during the Interview, new dependent claim 19 specifies that the inner tube (24) protrudes from the bearing housing (12). As discussed above, Rachui discloses that the bearing (15) is a single tube, and, as such, there is no inner tube which protrudes from the bearing housing. Accordingly, new dependent claim 19 defines additional patentable subject matter.

As discussed during the Interview, new dependent claim 20 specifies that that the journal (30) is connected at one end to the bearing housing (12) and has an opposite end, that the annular element (16) is fastened with braces (18, 20) to the bearing housing (12), that free space is provided between the journal (30) and the annular element (16) and between the journal (30) and the braces (18, 20) substantially from the one end of the journal (30) to the opposite end of the journal (30), and that a tubular plate (40) is insertable into the free space to extend along the journal (30) from the opposite end and proximate the bearing housing (12).

Rachui does not teach or suggest, among other things, a journal connected at one end to the bearing (15) and having an opposite end, an annular element fastened with braces to the bearing (15), or free space is provided between such a journal and annular element and the journal and braces substantially from the one end of the journal to the opposite end of the journal. Rather, in Rachui, portion (24) is formed with the bearing (15) during injection molding, and a sealing plug (22) supports the plate tube (12) from the inside to withstand injection pressure. Also, in Rachui, the plate tube (12) is not insertable into free space between a journal and an annular element and between the journal and braces. Instead, the bearing (15) of Rachui is injection-molded on the at least one free end (13) of the plate tube (12). Accordingly, new dependent claim 20 defines additional patentable subject matter.

CONCLUSION

In view of the foregoing, Applicants respectfully request entry of the present Amendment and allowance of claims 1-20.

If additional consultation with Applicant's attorney will further prosecution, the undersigned is available during normal business hours at the below-identified telephone number.

Respectfully submitted,

/Edward R. Lawson Jr./

Edward R. Lawson Jr.
Reg. No. 41,931

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Michael Best & Friedrich LLP
100 East Wisconsin Avenue
Suite 3300
Milwaukee, Wisconsin 53202-4108
414.271.6560